PART IV

Section 1-C

GENERAL STATUTORY RULES AND STATUTORY ORDERS ISSUED BY THE CENTRAL GOVERNMENT AND ORDERS MADE BY THE PRESIDENT AND REPUBLISHED BY THE STATE GOVERNMENT.

GOVERNMENT OF KARNATAKA

DEPARTMENT OF LAW AND PARLIAMENTARY AFFAIRS

Notification No. LAW. 16. LCR. 76.

Bangalore, dated 2nd August 1976.

Ordered that the Aircraft (Second Amendment) Rules, 1976 G. S. R. 973 of 1976 published in Part II, Section 3 (i) of the Gazette of India dated 3rd July 1976 be republished in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

B. NAGESHA RAO,
Under Secretary to Government,
Dept. of Law and Parly. Affairs.

GOVERNMENT OF INDIA

Ministry of Tourism and Civil Aviation

New Delhi, the 15th June, 1976

G.S.R. 973.—In exercise of the powers conferred by section 8C of the Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following rules further to amend the Aircraft Rules, 1937, namely :—

1. (1) These rules may be called the Aircraft (Second Amendment) Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

In the Aircraft Rules. 1937, after rule 81B, the following rule shall be inserted. namely :—

"31C. Safe custody and delivery of unclaimed property :—

(1) Subject to the provisions of the Customs Act, 1962 (52 of 1962), and the rules and regulations made thereunder, any person who finds any property lying unclaimed on the premises of a Govern-

ment aerodrome other than the aerodrome to which the International Airports Authority Act, 1971 (43 of 1971) applies or is made applicable, or in any aircraft on the premises of such aerodromes, shall immediately hand over such property to the Officer-in-charge of the aerodrome for safe custody.

(2) Any such property which is handed over to the Officer-in-charge of the aerodrome shall beentered in a register of unclaimed property maintained for the purpose and shall be kept by him in custody in a secure place in his office until claimed by the owner thereof or disposed of in accordance with sub-rule (4). The register shall contain the particulars of such property, name of the finder, date and time when handed over to the Aerodrome Officer, name of the owner, if known and the date and manner of its final disposal :

Provided that Indian currency exceeding Rs. 500 or foreign currency of any denomination or any article which is not of Indian origin shall be handed over to the Customs Officer having jurisdiction over the aerodrome concerned. Whereupon the Customs Officer shall take such action as he deems fit under the Customs Act, 1962 and the rules and regulations made thereunder :

Provided further the official documents including licences, passports and alien's identity books, wherever practicable, shall be returned forthwith to the appropriate Government Department, local authority or other body or person responsible for issuing them or for controlling or dealing with them.

(3) If any unclaimed property while it is kept in the safe custody of the Officer-in-charge, is claimed and the claimant proves to the satisfaction of such officer that it belongs to him, it shall be restored to the claimant under proper receipt.

(4) If any unclaimed property kept in the safe custody of the Officer-in-charge is not claimed within three months from the date on which it was delivered to the Officer-in-charge, he shall dispose it of by public auction or the best price that can reasonably be obtained and in the event of its failure to secure reasonable price, he shall forthwith report, the fact to the Regional Director who shall pass such order has the circumstances of the case may require :

Provided that where the name and address of the owner of the unclaimed property (other than the documents referred to in sub-rule (2) or readily ascertainable the Officer-in-charge shall forthwith inform such owner that the unclaimed property is in his custody and may be claimed in accordance with the rules.

(5) Notwithstanding anything contained in the foregoing sub-rules if any unclaimed property delivered to the Officer-in-charge is of perishable nature and if it is not claimed within 48 hours from the time it was found, he shall dispose it of immediately thereafter for the best price that can reasonably be obtained. If, however, in

the opinion of the Officer-in-charge; any such property cannot be retained in safe custody due to its nature or condition, he may destroy it forthwith or otherwise dispose it of in a reasonable manner.

(6) A person whose property has been disposed of under these rules shall, upon proper verification, be entitled to receive proceeds of the sale thereof, if any, after deduction of the reasonable expenses incurred by the Officer-in-charge in connection therewith.

(7) Where any unclaimed property is contained in a bag or other container, the Officer-in-charge may cause such baggage, bag or container to be opened and the contents examined or require the claimant to open it in his presence for examination for the purpose of either identifying and tracing the owner of the unclaimed, property or ascertaning the nature of the contents".

[F. No. Av. 11012/4/75-A/AR/AM/(2)/76]

S. EKAMBARAM, Dy Secy.

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